

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TROY STRATOS,

Petitioner,

v.

FEDERAL BUREAU OF PRISONS,

Respondent.

No. 2:20-cv-2302 AC P

ORDER


Petitioner is a federal prisoner proceeding through counsel in this habeas corpus action pursuant to 28 U.S.C. § 2241. On December 11, 2020, petitioner was ordered to notify the court whether he consented to the recharacterization of his § 2241 petition as a § 2255 motion. ECF No. 3. On December 16, 2020, petitioner filed a notice consenting to the recharacterization. ECF No. 4. In light of petitioner's consent, this court will recharacterize his § 2241 petition as a § 2255 motion. The Clerk of the Court will be directed to file the petition (ECF No. 1) in United States v. Stratos, Case No. 2:11-cr-0537 TLN, and update the docket in this case to reflect the recharacterization to a § 2255 motion.

Accordingly, IT IS HEREBY ORDERED that:

1. Petitioner's § 2241 petition (ECF No. 1) is recharacterized as a § 2255 motion;
2. The Clerk of the Court is directed to file the § 2255 motion (ECF No. 1) in United States v. Stratos, Case No. 2:11-cr-0537 TLN, deemed filed November 18, 2020, and reassign

1 this case and update the docket to reflect that it is the companion § 2255 civil case to United
2 States v. Stratos, Case No. 2:11-cr-0537 TLN.

3 DATED: December 17, 2020

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5 ALLISON CLAIRE
6 UNITED STATES MAGISTRATE JUDGE
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